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Provisional

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Thursday, 16 January 2003, 10 a.m.

New York

President	Mr. De La Sablière	(France)
Members	Angola	Mr. Gaspar Martins
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Mana
	Chile	Mr. Valdés
	China	Mr. Chen Xu
	Germany	Mr. Pleuger
	Guinea	Mr. Traoré
	Mexico	Mrs. Arce de Jeannet
	Pakistan	Mr. Mahmood
	Russian Federation	Mr. Konuzin
	Spain	Mr. Arias
	Syrian Arab Republic	Mr. Wehbe
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United States of America	Mr. Williamson

Agenda

The situation in the Middle East, including the Palestinian question

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03-21228 (E)

The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Kieran Prendergast, Under-Secretary-General for Political Affairs. I now give him the floor.

Mr. Prendergast: The Council was last briefed on the situation in the Middle East just before the meeting of the Quartet, at the level of principals, on 20 December in Washington. Council members will be familiar with the communiqué issued by the Quartet. On the same day, the Quartet principals met with the President of the United States. President Bush expressed strong support for the efforts of the Quartet and his firm commitment to the Quartet's road map, which would realize his vision of two States — Israel and Palestine — living side by side in peace and security.

The meeting of principals was part of the Quartet's continuing endeavour to finalize the road map. The Quartet made substantial progress and intends formally to present the road map to the parties following the general elections that will be held in Israel on 28 January.

The road map sets out a three-phase plan for achieving a negotiated settlement of the Israeli-Palestinian conflict, as part of an effort to achieve a just, lasting and comprehensive peace in the Middle East. It is premised on the Quartet's recognition that progress is contingent on parallel steps by both parties in the security, humanitarian, institution-building and political fields. Accordingly, the first phase of the plan requires the parties, in parallel, to implement a complete ceasefire, improve humanitarian conditions, promote Palestinian institution-building — including much-needed reform of the Executive of the Palestinian Authority — and halt all settlement construction. The ultimate goal of the road map is to realize, in 2005, the vision of two States — Israel and an independent, viable, sovereign and democratic Palestine — living side by side in peace and security.

Intensive diplomatic efforts are being made to agree on the road map and to restart a political process. The dismal situation on the ground makes it imperative that the Quartet finalize and then begin implementing the road map as soon as possible. Since the Secretariat's last briefing, 68 Palestinians and 24 Israelis have been killed, bringing the death toll since 28 September 2000 to 2,297 Palestinians and 691 Israelis.

In one of the worst incidents in the last month, on 5 January, at least 22 Israelis and foreign workers were killed, and more than 100 others were wounded, when two Palestinians detonated explosive belts at the old central bus station in Tel Aviv. The attack was the first inside Israel in more than a month. It was also the deadliest since the Passover seder bombing in Netanya last March.

The Secretary-General has consistently and strongly condemned all terrorist acts. As well as being morally repellent, attacks that target civilians are heinous, regardless of whether their perpetrators see them as reprisals for acts by the other side. The Palestinian Authority has condemned the recent Tel Aviv attack and has pledged to bring to justice those involved in planning it. The United Nations expects the Palestinian Authority to do everything in its power to fulfil this promise, and calls on all Palestinian groups to end such attacks. In this context, we support the efforts of the Government of Egypt and others to broker an end to attacks carried out by Palestinian factions.

As members of the Council are aware, the Secretary-General has also repeatedly emphasized that Israel must act in compliance with international humanitarian law. Almost every day, the Israel Defense Forces (IDF) and border police kill and maim

Palestinian civilians, including many children. A couple of the most egregious examples from recent weeks illustrate the reasons for alarm: an 11-year-old girl was shot dead by the IDF as she leaned out of her bedroom window to watch the funeral of a teenage boy killed the day before, and a 9-year-old girl was killed while playing outside her home in the Gaza Strip. Despite the repeated appeals, there have been no demonstrable steps by the Government of Israel to prevent such deaths or to hold accountable those responsible for wrongful deaths.

The protection of civilians is the most important aim of humanitarian law, and it is an obligation on all parties to a conflict. As the occupying Power, Israel has particular responsibilities which are simply and clearly defined in the Fourth Geneva Convention. The Quartet affirmed last month that Israel must make a steadfast effort to prevent harm to Palestinian civilians. Israel should review its rules of engagement and ensure that Palestinian civilian deaths are rigorously investigated and that those guilty of misconduct are prosecuted. Following his letter to Prime Minister Sharon of 27 November last year, the Secretary-General still awaits a written account from the Government of Israel of the outcome of its investigation into the circumstances of the death of Mr. Iain Hook, a staff member of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

The Government of Israel must also stop carrying out extrajudicial killings and home demolitions, which it has announced will, on the contrary, be intensified following the recent suicide attacks in Tel Aviv. Such measures are serious violations of humanitarian and human rights law, and they are a source of profound grievance and anger among Palestinians. Israel must also ensure that Palestinians held in administrative detention — those held without charge or trial, who now number more than 1,000 — receive the protection of due process of law.

I am afraid that there has been no appreciable improvement in the humanitarian situation in the occupied Palestinian territory since the previous briefing, and Israel still has not fulfilled the commitments it made to the Secretary-General's Personal Humanitarian Envoy last August.

As winter continues, conditions appear likely to deteriorate further. Curfews continue to place particularly onerous burdens on the Palestinian civilian population. At one point during the past month, approximately 520,000 Palestinians in 30 cities and towns were under curfew. In the city of Hebron, 20 schools have been closed for much of the past two months due to curfews, thereby denying children the basic right to education. Today, we heard that the Israeli authorities have closed two universities in Hebron.

In addition, Israel has imposed new travel restrictions on Palestinians in response to the recent suicide bombings. Palestinians in the West Bank holding identity cards issued by the Palestinian Authority are prohibited from leaving their towns and villages. In many places, bus services between towns have been discontinued, and shipments of goods through the so-called back-to-back system are limited to foodstuffs and medication. Palestinian men under the age of 35, and all unmarried men, may no longer travel outside the Gaza Strip through the Rafah crossing. These restrictions exacerbate the humanitarian crisis and amount to collective punishment of the entire population.

The international donor community is continuing its efforts to respond to the humanitarian aid emergency. Recently, for instance, the World Food Programme extended its project of emergency food assistance to victims of conflict, which has already delivered more than 40,000 metric tons of food to more than half a million Palestinians. The World Bank has also announced a programme expanding support for emergency social services to the Palestinians, and UNRWA is continuing to provide food assistance to more than 1 million refugees. There are limits, however, to what the aid community can accomplish. Our goal has been, and remains, the restoration of the Palestinians' own capacity to provide for themselves, not to create a situation of permanent dependency.

In these dire circumstances, it is crucial that the Government of Israel do its part by honouring its commitment to transfer monthly tax revenues owed to the Palestinian Authority and to develop a schedule for remitting the hundreds of millions of dollars of arrears. The continuation of revenue transfers could have a profoundly positive impact on the situation. It would permit the Palestinian Authority once again to pay civil servants on time and to repay debts to the private sector. The Government of Israel's recent announcement that it may reconsider its commitment on this issue is consequently very troubling.

Also troubling is Israel's construction of the security wall in the West Bank, which will adversely affect thousands of Palestinians living near the wall, especially those who reside between the Palestinian side of the Green Line and the wall. Communities are already being cut off from their agricultural lands and from health and education services in the West Bank. In addition, according to current plans, the town of Qalqilya will be almost completely enveloped by the wall, with access through a narrow passage to the east controlled by Israeli forces.

Although Israel's need to defend itself against infiltration is acknowledged and must be respected — and we fully recognize the terrible price Israelis have paid as a result of suicide bombings — Israel needs to ensure that its security measures are not taken at the expense of the Palestinian civilian population.

Palestinian reform efforts continue with the active support of the international community. We are particularly encouraged by the rapid pace of financial reforms and note that the Palestinian Authority has submitted an austerity budget for the fiscal year 2003 to the Palestinian Legislative Council and is in the process of developing a robust internal auditing capacity, with the assistance of prominent international accounting firms.

On the other hand, we are concerned about the continuing lack of progress in advancing the issue of the rule of law. The Palestinian legal community continues to challenge the legality of the Palestinian state security courts, and President Arafat's recent appointment of a state security court prosecutor to the role of "General Prosecutor for Palestine" has not clarified the status of the courts. The development of a robust and transparent judiciary is an important foundation for reform in other areas.

Given the importance of advancing the Palestinian reform process, the Secretary-General welcomed Prime Minister Blair's initiative to bring Palestinians, the Quartet and representatives of the Governments of Egypt, Jordan and Saudi Arabia together to discuss these issues. We were extremely disappointed by the Government of Israel's decision not to allow Palestinian officials to attend the meeting. Thanks to modern technology, the meeting was held anyway, using a live video link. The London meeting facilitated a useful stock-taking of progress on Palestinian reform, and focused attention on the importance of restarting the peace process. Quartet envoys agreed to meet again in London in the context of a follow-up meeting of the Task Force on Palestinian Reform in early February. I imagine that Ambassador Thomson will wish to brief the Council more extensively on the outcome of the London meeting.

It is our collective challenge — and our collective responsibility — to ensure that reform has a tangible, positive effect on the lives of Palestinian citizens. We must work to restore their Government's capacity to provide them with institutions they can trust and the services they need.

Turning to other issues, last week Assistant Secretary-General Annabi briefed the Council on the shooting incident on 8 January in the Golan Heights. A Syrian soldier in civilian clothing was killed by an IDF patrol and a second was captured west of the Alpha Line separating Israeli- and Syrian-controlled areas of the Syrian Golan and east of the Israeli technical fence. The IDF handed the captured soldier to the United Nations Disengagement Observer Force (UNDOF), which turned him and the body of the dead soldier over to the Syrian authorities. UNDOF's investigation is still ongoing and it would be premature to come to definite conclusions. Fortunately, neither Israel nor Syria has allowed the incident to escalate. It would be unwise to allow that front, which has been quiet since the disengagement agreement, to become a focus of tension in an already too tense regional situation.

Since the last briefing, the situation along the Blue Line has remained generally calm. However, both Israeli air violations of the Blue Line and related anti-aircraft fire from the Lebanese side have continued. The frequency of overflights has varied, with some days witnessing sudden increases, both in terms of numbers of violations and territory overflown. On occasion, shrapnel from anti-aircraft fire has fallen near Israeli villages.

The Wazani/Hasbani water issue continues to be a source of tension and possible escalation between Israel and Lebanon. Discussions continue within the Israeli Government on whether to ask the United Nations to use its good offices in order to reach an agreement between the two sides on the use of water in that area. We hope that these deliberations will come to a quick and positive conclusion. We call on the Government of Lebanon to continue to respect its commitments not to expand its water projects beyond

what is already stated in its report until the matter comes to a resolution.

Much attention is now focused on the outcome of the Israeli general elections on 28 January. Whatever Israeli Government emerges as a result of the balloting will confront the reality of surging violence in Israel and the occupied Palestinian territory. The growing economic hardship on both sides poses another serious challenge. Poverty now affects the majority of Palestinians, while the Israeli economy is in deep recession. Perhaps most distressing on both sides is the fact that there is little hope that the political stalemate that prompted and continues to fuel this crisis will soon be resolved.

There is a legitimate concern that the negative trends so evident on the ground erode the prospects for achieving the two-State solution, but there is nevertheless a clear consensus in the international community to support the Quartet's efforts to reach a permanent settlement based on two sovereign States living side by side in peace and security. Whatever the current difficulties, ultimately a lasting peace can be achieved only through a political process that takes fully into account the legitimate aspirations of both the Israeli and the Palestinian peoples. We therefore remain convinced that the implementation of the road map of the Quartet will constitute a new beginning for the peoples of both societies.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations, I now invite Council members into informal consultations to continue our discussion on the subject.

The meeting rose at 10.25 a.m.